

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OHIO

American Hellenic Educational
Progressive Association,

Plaintiff,

PicRights Ltd.
PicRights Europe GmbH
Agence France-Presse,

Defendants.

Case No. 1:19-cv-01814-DAP

**STIPULATED FINAL JUDGMENT AND
ORDER**

Plaintiff and Counterclaim Defendant American Hellenic Educational Progressive Association (“AHEPA”) commenced this civil action on August 9, 2019 against Defendants Agence France-Presse (“AFP”), PicRights Ltd. and PicRights Europe GmbH (collectively “PicRights Defendants”) seeking a declaratory judgment of non-infringement of copyright arising out of AHEPA’s use of four photographs owned by AFP (“Photographs”). Defendant and Counterclaim Plaintiff AFP filed an Answer and Counterclaim on November 15, 2019 alleging copyright infringement pursuant to 17 U.S.C. § 101 et seq. and seeking damages, attorneys’ fees and an injunctive relief. The PicRights Defendants have not appeared in this action.

AHEPA and AFP, by and through their respective counsel, now jointly request that the Court enter this Stipulated Final Judgment and Order.

FINDINGS

1. The Court has jurisdiction over AHEPA and AFP and the subject matter of this action.

2. AFP is the owner of the sole rights holder of the following four copyrighted materials:

	AFP Image #	Date of Registration w/US Copyright Office	Registration #
1	462734632	05-07-2015	VA0002129693
2	486851901	11-11-2014	VA0002129685
3	473510366	07-16-2015	VA0002129698
4	472984578	07-16-2015	VA0002129698

(the “the Copyrights in Issue”).

3. AHEPA has used the Copyrights in Issue as part of a newsletter published on or available through the website www.ahepa.org (the “Infringing Publication”).

4. AHEPA’s use of the Copyrights in Issue as part of the Infringing Publication was unauthorized by AFP and may constitute Copyright Infringement.

5. The present Order is agreed to by the Parties to settle the present litigation, mitigate injury and damage to AFP, and resolve present and past issues in a commercially reasonable and expedited manner.

ORDER

IT IS HEREBY ORDERED as follows:

1. Judgment shall be entered for AFP and against AHEPA.

2. AHEPA is ordered to pay AFP damages, attorneys’ fees, and costs in the amount agreed to by the parties.

3. If, within 30 days of entry of this Stipulated Judgment, AHEPA fails to pay AFP the agreed upon amount of damages, attorneys fees, and, then the parties shall inform the Court and the Court shall set a schedule for proceedings to determine the proper amount of damages, attorneys fees, and costs to be awarded.

4. AHEPA and its agents, servants, employees successors, partners, assigns, and all those acting directly or indirectly in concert or participation with any of them, shall be permanently enjoined from infringing the Copyrights in Issue by any means and inducing copyright infringement in the Copyrights in Issue by any means of the exclusive rights of AFP, under the

Copyright Act, including but not limited to direct copyright infringement, inducement to infringe copyrights, contributory copyright infringement, and vicarious copyright infringement.

5. The Court shall retain jurisdiction of this matter for the purposes of enforcing the terms of this Judgment.

IN WITNESS WHEREOF, the parties have executed this Agreement or caused this Agreement to be executed by their duly authorized officers effective as of the Effective Date.

American Hellenic Educational
Progressive Association

Agency France-Presse (AFP)

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Order Approved Dated: _____

Hon. Dan Aaron Polster
United States District Judge